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amnesty international

INTERNATIONAL SECRETARIAT
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URGENT ACTION

EXTERNAL (for general distribution)

AI Index: ASA 21/29/91
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10 December 1991

Further information on UA 408/91 (ASA 21/26/91, 22 November 1991) and follow-up ASA 21/28/91, 29 November 1991 - Legal Concern/Fear of Torture

Indonesia/East Timor:

Jakarta:
Metodio Moniz*
Antonio Lopez
Felipe da Silva
Joao Sarmento
Fausto Bernardino*
Joao "Travolta"*
Agapito Cardoso
Gregorio de Araujo
Jose Maria Belo
Avelino Maria Coelho da Silva*
Mario Canelas*
Egas Quintao Monteiro*
Francisco Vasco Ramos
Jose Luis de Oliveira*
Sergio Dias Quintao*
Joao Freitas da Camara*
Benevides Cabral*
Domingos Barreto
Ilidio da Costa*
Virgilio
Antonio Soares
and Antonio Goncalves (see original UA)

Denpasar:
Jose Pompeia Saldanha Ribeiro
Fernando de Araujo
Clemente Soares
Antonio Matos
and several other students

Yogyakarta:
Nine students, including:
Jose Luis de Oliveira*] see under
Ilidio da Costa*] Jakarta
Diometrio]
Rogerio] released
Flavio]
Pedrito]

Bandung:
Nine students, including:
Agus Jaya
Asep
Novi
Daniel
Nurdin
Pius

*Please note corrections to names

Twenty-one East Timorese students remain in custody at the Metropolitan Jakarta Police Station, three weeks after they were arrested for taking part in a peaceful protest against Indonesian human rights violations in East Timor. Most are being held incommunicado and one, Joao Freitas da Camara, is reportedly detained in an isolation cell. Antonio Goncalves, thought to have been arrested at the same time, has since been reported missing and there is concern for his safety. Amnesty International has learned the names of 49 other students who were arrested at the same time but released after questioning. They included six students from Semarang, 27 from Bandung, two from Jakarta, eight from Malang and six from Yogyakarta.

Four East Timorese students arrested in Denpasar, Bali, on 23 November, and possibly six others, are believed to remain in custody. Military authorities confirmed that 6 students had been arrested in a raid on a house in Dili, on 2 December, but did not reveal their names. The students are believed to be held incommunicado and there is concern for their safety.

Amnesty International has learned that at least two students earlier reported as arrested in Yogyakarta were, in fact, detained in Jakarta. Ilidio da Costa and Jose Luis de Oliveira (named earlier as Elidio and Jose Luis) are among the 21 still held at the Metropolitan Jakarta Police Station. There is no further information about those reportedly arrested in Bandung.

Lawyers and relatives have been denied access to all but a few of the detainees, in contravention of the Indonesian Code of Criminal Procedure (KUHAP) and international

☎ (44)(71) 413 5500 Telegrams: Amnesty London WC1 Telex: 28502 FAX: 956 1157

Amnesty International is an independent worldwide movement working for the international protection of human rights. It seeks the *release* of men and women detained anywhere because of their beliefs, colour, sex, ethnic origin, language or religious creed, provided they have not used or advocated violence. These are termed *prisoners of conscience*. It works for *fair and prompt trials* for *all political prisoners* and works on behalf of such people detained without charge or trial. It opposes the *death penalty* and *torture* or other cruel, inhuman or degrading treatment or punishment of *all prisoners*.

law. Despite repeated requests to the police authorities by the Indonesian Legal Aid Institute (LBH), lawyers have not been permitted to accompany any of the detainees during interrogations.

On 5 December an LBH team went to the Metropolitan Jakarta Police Station to formally request information on the time and place of future interrogations so that they could accompany their clients. Though required by law to provide such information, police officials did not do so, saying that the only officer with that authority was out of the office. The team was able to meet two of the detainees - Joao Freitas da Camara and Avelino Maria Coelho da Silva - but they were accompanied throughout by a police investigator. The detainees told the LBH team that their interrogation as suspects had been completed, and now they were being interrogated as witnesses.

Amnesty International believes that most of those detained are prisoners of conscience and is calling for the immediate and unconditional release of those held solely for their non-violent political beliefs or activities. It is deeply concerned for the safety of those held in incommunicado detention, and calls on the Indonesian authorities to grant immediate access to their lawyers and relatives in accordance with the law.

FURTHER RECOMMENDED ACTION: Telegrams/telexes/faxes/express and airmail letters:
- expressing concern that 21 East Timorese students remain in custody in the Metropolitan Jakarta Police Station after being arrested at a peaceful demonstration on 19 November 1991;
- expressing concern that police authorities have denied lawyers access to the detainees in contravention of the Indonesian Code of Criminal Procedure and international law;
- expressing concern about the reported detention of dozens of other students in Denpasar, Yogyakarta and Bandung, for their alleged political or human rights related activities;
- expressing concern that the students may be charged under legislation which appears to contravene international human rights law guaranteeing freedom of expression and opinion;
- calling on the government to release all those detained solely for the peaceful expression of their political views or activities.

APPEALS TO:

1. Minister of Justice:
Let. Ismail Saleh **Your Excellency**
Jalan Rasuna Said, Kav 6-7
Kuningan, Jakarta Selatan, Indonesia
Telegrams: Justice Minister, Jakarta, Indonesia
Telexes: 44404 DITJENIM IA
Faxes: + 62 21 32 1625

2. Chief of the National Police:
General Kunarto **Dear General**
Kepala Kepolisian RI
Markas Besar Kepolisian RI Jl.
Trunojoyo 13
Kebayoran Baru, Jakarta Selatan, Indonesia
Telegrams: General Kunarto, Kepala Kepolisian RI, Jakarta, Indonesia

3. Personal Secretary to Jakarta Chief of Police:
Sespri Kapolda Jaya **Dear Letkol Tryono S.**
Letkol Tryono S.
Markus Besar Kepolisian Jaya
Jakarta, Indonesia
Telegrams: Sespri Kapolda Jaya, Kepala Kepolisian RI, Jakarta, Indonesia

4. Director General of Corrections:
Prof Dr Baharuddin Lopa **Dear Sir**
Department of Justice
Jl. Veteran No. 11, Jakarta Pusat,
Indonesia
Telegrams: Director General of Corrections, Justice Department, Jakarta, Indonesia
Faxes: + 62 21 32 1625

COPIES TO:

Indonesian Legal Aid Foundation:
Yayasan Lembaga Bantuan Hukum Indonesia
Jl. Diponegoro 74
Jakarta 10320, Indonesia

Jakarta Post (newspaper)
PO Box 85
Jakarta 11001, Indonesia
Faxes: + 62 21 549 2685

and to diplomatic representatives of Indonesia in your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 21 January 1992.

— Please take action as soon as you receive this Urgent Action appeal. Carefully read the recommended actions. If possible, send a telegram, telex, fax or express letter immediately to one or more of the addresses given. Other letters can be sent afterwards.

— Telegrams and letters should be brief and courteous. Stress that your concern for human rights is not in any way politically partisan. Refer to relevant provisions in international law, such as the United Nations Universal Declaration of Human Rights:

Article 3 — "Everyone has the right to life, liberty and security of person."

Article 5 — "No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment."

Article 9 — "No one shall be subjected to arbitrary arrest, detention or exile."

— The name of Amnesty International may be used, although letters written in a private or personal capacity may be more effective.

— Copies of appeals should be sent to relevant diplomatic representatives in your country.

— In Urgent Actions cases, Amnesty International has to act rapidly on behalf of victims of grave human rights violations. An appeal is issued when Amnesty International believes it has received reliable and accurate information in such cases. It is not always possible to verify all details independently and in some instances the situation outlined in the appeal may change. Urgent Action participants are always notified of any significant new facts.

— Copies of any replies received from government authorities should be sent immediately to your section's Urgent Action co-ordinator or direct to the Campaign and Membership Department of the International Secretariat. If appropriate, thank the official who has replied and ask to be kept informed about the case.